

WILLIAM L. MARDER, ESQ. (CBN 170131)
POLARIS LAW GROUP LLP
Attorneys At Law
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214

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Attorneys for Plaintiffs Michael Pekin, Amanda Hernandez, and Patrick Pekin

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHAEL PEKIN, AMANDA HERNANDEZ,
and PATRICK PEKIN

Plaintiffs,

v.

COUNTY OF SAN BENITO, and DOES 1
through 10, inclusive,

Defendants.

Case No.: C05 05402 HRL

**STIPULATION AND ~~PROPOSED~~ ORDER RE
DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT**

(AS MODIFIED BY THE COURT)

Whereas, the last day for hearing on dispositive motions is currently July 3, 2007.

Whereas, defendant intends to file a motion for summary judgment.

Whereas, plaintiff's counsel, William Marder, will be out of the country from May 18 to
May 29, 2007.

Whereas, because of the size and complexity of the case, plaintiff's counsel would prefer
additional time to prepare his opposition.

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES that:

(1) Defendant may file its motion for summary judgment on or before June 1, 2007.

(2) Defendant's motion for summary judgment shall be heard on July 17, 2007 at 10:00 a.m.

Rankin, Landsness, Lahde, Serverian & Stock

Dated: May 10, 2007

/s/ Michael C. Serverian

Micheal C. Serverian, Esq.
Attorneys for Defendants

POLARIS LAW GROUP LLP

Dated: May 10, 2007

/s/ William L. Marder

William L. Marder
Attorneys for Plaintiffs

~~PROPOSED~~ ORDER

(1) Defendant ~~may~~ **shall** file its motion for summary judgment on or before June 1, 2007.

(2) Defendant's motion for summary judgment shall be heard on July 17, 2007 at 10:00 a.m.

(3) **Briefing on defendant's motion shall otherwise proceed in accordance with the court's Civil Local Rules.**

Dated: **May 15, 2007**


UNITED STATES MAGISTRATE JUDGE

HOWARD R. LLOYD